



8-23-04

IFW

S/N 10/824,068

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cabrera, et al. Examiner: Unknown
Serial No.: 10/824,068 Group Art Unit: 2186
Filed: April 13, 2004 Docket No.: MS128810.03/40062.139USC2
Title: VOLUME CONFIGURATION DATA ADMINISTRATION

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 160768742 US

Date of Deposit: August 19, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:



Name: Jollene Thomssen

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(d), a copy of each document or other information listed on the enclosed Form 1449 is not provided because it was previously cited by or submitted to the U.S. Patent and Trademark Office in parent applications, U.S. Patent Nos. 6,553,387 issued April 22, 2003 and 6,735,603 issued May 11, 2004. A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to

establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.


Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

8/19/04

Date



Respectfully submitted,



George C. Lewis, P.E., Reg. No. 53,214
Merchant & Gould P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(303) 357-1639
(303) 357-1671 (fax)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cabrera, et al. Examiner: Unknown
Serial No.: 10/824,068 Group Art Unit: 2186
Filed: April 13, 2004 Docket: MS128810.03/40062.139USC2
Confirmation No.: 7004
Title: VOLUME CONFIGURATION DATA ADMINISTRATION

CERTIFICATE UNDER 37 CFR 1.10:

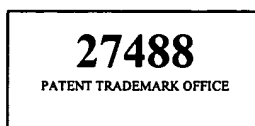
"Express Mail" mailing label number: EV 160768742

Date of Deposit: August 19, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: Jollene Thomssen
Name: Jollene Thomssen

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 71 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: George C. Lewis
Name: George C. Lewis
Reg. No.: 53,214
GCLewis

| | | |
|--|---|-----------------------------------|
| FORM 149-1 INFORMATION DISCLOSURE STATEMENT AUG 19 2004 PATENT & TRADEMARK OFFICE | IN AN APPLICATION | |
| | (Use several sheets if necessary) | |
| | Docket Number: MS128810.03/40062.139USC2 | Application Number: 10/824,068 |
| Applicant: Cabrera, et al. | | Filing Date: Apr. 13, 2004 |
| | | Group Art Unit: 2186 |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------|----------|---------------------|-------|----------|----------------------------|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
| | 5,964,886 | 10/12/99 | Slaughter et al. | 714 | 4 | |
| | 5,940,849 | 08/17/99 | Koyama | 711 | 4 | |
| | 2002/0078335 | 06/2002 | Cabrera, et al. | 713 | 1 | |
| | 5032979 | 07/1991 | Hecht, et al. | 364 | 200 | |
| | 5465365 | 11/1995 | Winterbottom | 395 | 600 | |
| | 5511227 | 04/1996 | Jones | 710 | 9 | |
| | 5581760 | 12/1996 | Atkinson, et al. | 395 | 700 | |
| | 5623666 | 04/1997 | Pike, et al. | 395 | 616 | |
| | 5671414 | 09/1997 | Nicolet | 395 | 684 | |
| | 5675795 | 10/1997 | Rawson, III, et al. | 395 | 652 | |
| | 5689706 | 11/1997 | Rao, et al. | 395 | 617 | |
| | 5692128 | 11/1997 | Bolles, et al. | 395 | 200.09 | |
| | 5724512 | 03/1998 | Winterbottom | 395 | 200.12 | |
| | 5778385 | 07/1998 | Pratt | 707 | 200 | |
| | 5870734 | 02/1999 | Kao | 707 | 2 | |
| | 5881285 | 03/1999 | DeLeeuw | 709 | 321 | |
| | 5896546 | 04/1999 | Monahan, et al. | 710 | 10 | |
| | 5932935 | 08/1999 | Cabrera, et al. | 710 | 260 | |
| | 5991777 | 11/1999 | Momoh, et al. | 707 | 205 | |
| | 6026402 | 02/2000 | Vossen, et al. | 707 | 9 | |
| | 5,598,549 | 01/28/77 | Rathunde | 395 | 441 | |
| | 5,568,629 | 10/22/96 | Gentry et al. | 395 | 441 | |
| | 5,553,285 | 09/03/96 | Krakauer et al. | 395 | 500 | |
| | 5,247,660 | 09-1993 | Aschcraft et al. | 707 | 205 | |
| | 5,579,516 | 11-1996 | Van Maren et al. | 707 | 1 | |
| | 5,819,296 | 10-1998 | Anderson et al. | 700 | 79 | |

| | |
|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |

| | | |
|---|---|-----------------------------------|
| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: MS128810.03/40062.139USC2 | Application Number: 10/824,068 |
| | Applicant: Cabrera, et al. | |
| | Filing Date: Apr. 13, 2004 | Group Art Unit: 2186 |

| | | | | | | |
|--|-----------------|---------|--------------------------|-----|-----|--|
| | 5,832,522 | 11-1998 | Blickenstaff et al. | 707 | 10 | |
| | 5,990,892 | 11-1999 | Urbain, Fran.cedilla.ois | 345 | 853 | |
| | 6,075,939 | 06-2000 | Bunnell et al. | 717 | 107 | |
| | 6,161,111 | 12-2000 | Mutalik et al. | 705 | 42 | |
| | 6,311,179 | 10-2001 | Agarwal et al. | 707 | 2 | |
| | US-2001/0044807 | 07-1998 | KLEIMAN et al. | 707 | 203 | |
| | 4,633,393 | 12-1986 | Rundell, John P. | 707 | 7 | |
| | 5,283,894 | 02-1994 | Deran, Roger L. | 707 | 1 | |
| | 5,313,617 | 05-1994 | Nakano et al. | 703 | 24 | |
| | 5,794,236 | 08-1998 | Mehrle, Joseph P. | 707 | 3 | |
| | 6,330,572 | 12-2001 | Sitka, Larry | 707 | 100 | |
| | 6,405,284 | 06-2002 | Bridge, William | 711 | 114 | |
| | 6,457,139 B1 | 09-2002 | D'Errico et al. | 714 | 5 | |
| | 6,240,511 B1 | 05/2001 | Blumenau et al. | 713 | 1 | |
| | 6,289,375 B1 | 09-2001 | Knight et al. | 709 | 217 | |
| | 6,311,213 B2 | 10-2001 | Dawson et al. | 709 | 217 | |
| | 5,408,644 A | 04-1995 | Schneider et al. | 714 | 1 | |
| | 6,974,515 | 10-1999 | Bachmat et al. | 710 | 8 | |
| | 6,185,661 | 2-2001 | Ofek et al. | 711 | 145 | |
| | 6,076,143 | 6-2000 | Blumenau, Steven M. | 711 | 114 | |
| | 6,266,740 | 7-2001 | Don et al. | 711 | 114 | |
| | 6,272,571 | 8-2001 | Bachmat, Eitan | 710 | 74 | |
| | 6,435,004 | 7-1995 | Cox et al. | 707 | 205 | |
| | 6,279,033 | 8-2001 | Selvarajan et al. | 709 | 217 | |
| | 6,032,137 | 2-2000 | Ballard, Claudio R. | 705 | 75 | |
| | 6,453,426 | 9-2002 | Gamache et al. | 714 | 4 | |
| | 6,438,744 | 8-2002 | Toutonghi et al. | 717 | 137 | |
| | 5,530,658 | 1-1996 | Hafner et al. | 703 | 6 | |
| | 5,761,526 | 6-1998 | Sakakura et al. | 710 | 1 | |

| | |
|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |

| | | |
|---|---|-----------------------------------|
| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: MS128810.03/40062.139USC2 | Application Number: 10/824,068 |
| | Applicant: Cabrera, et al. | |
| | Filing Date: Apr. 13, 2004 | Group Art Unit: 2186 |

| | | | | | | |
|--|-----------|--------|-------------------|-----|-----|--|
| | 5,802,364 | 9-1998 | Senator et al. | 709 | 325 | |
| | 6,219,693 | 4-2001 | Napolitano et al. | 709 | 203 | |

FOREIGN PATENT DOCUMENTS

| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|-----------------|----------|---------------------------------|-------|----------|-------------|----|
| | | | | | | YES | NO |
| | EP 0 482 853 A | 04/29/92 | EPO | | | | |
| | EP 0 485 110 A2 | 10/30/91 | EPO | | | | |
| | WO 97/07461 | 02/27/97 | WIPO | | | | |
| | WO 92/22865 | 12/23/92 | WIPO | | | | |
| | WO 98/15895 | 04/16/98 | WIPO | | | | |
| | EP 0 732 653 A2 | 02/09/96 | EPO | | | | |
| | EP 0 689 125 A2 | 02/23/95 | EPO | | | | |
| | EP 0 762 267 A2 | 3-1997 | European (Tabuchi, H et al.) | 3 | 06 | | |
| | EP 1 137 004 A2 | 9-2001 | European (James, KR) | 20 | 12 | | |
| | GB 2297636 A | 8-1996 | UK (Norman HB et al.) | 3 | 06 | | |
| | | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|--|--|
| | Gelb, J.P., "SYSTEM-MANAGED STORAGE", IBM Systems Journal, IBM Corp., Armonk, NY, Vol. 28, No. 1, 1989, pages 77-103 |
| | VERITAS Software Corporation: "VERITAS Volume Manager – Getting Started Guide – Release 3.0.1", 1999, p. 1-71 |
| | A.L. Buck et al., "The Storage Server as Virtual Volume Manager", Proceedings Twelfth IEEE Symposium on Mass Storage Systems, 1993, pp. 79-86 |
| | "XFS: A Next Generation Journalled 64-Bit Filesystem With Guaranteed Rate I/O", http://www-europe.sgi.com/Technology/xfs-whitepaper.html , Silicon Graphics – XFS White Paper, 1-20, (March 15, 1999) |
| | |

27488

PATENT TRADEMARK OFFICE

| | |
|---|-----------------|
| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |